

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



August 11, 1998

ALL COUNTY LETTER NO: 98-63

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: INTERAGENCY AGREEMENT REGARDING IN-HOME SUPPORTIVE SERVICES PROVIDED TO PARTICIPANTS IN OFFICE OF AIDS PROGRAMS

This All-County Letter (ACL) supersedes the May 13, 1991 ACL #91-38 regarding programs serving individuals with Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS). ACL 91-38 referred to the Memorandum of Understanding (MOU) between the California Department of Social Services (CDSS), In-Home Supportive Services (IHSS) and the Department of Health Services (DHS), Office of AIDS (OA).

The purpose of this letter is to transmit a copy of the Interagency Agreement (IA) which has been updated to remove references to the Residential AIDS Shelter (RAS) Pilot program which terminated June 30, 1995 and also to inform the counties that there have been no substantial changes since the last MOU. The IA specifies that the order in which the programs must be utilized is IHSS, Medicaid Waiver Program (MCWP), and Case Management Program (CMP). For example, all authorized IHSS benefits must be exhausted before additional services will be paid for under the MCWP and the CMP. It is also important that funds from other programs are not used to augment IHSS provider wages.

This IA continues to formalize an ongoing agreement between the California Department of Social Services and the Department of Health Services in relation to MCWP and CMP program payments for provider services for In-Home Supportive Services recipients.

This IA continues to require that CDSS waive the application of the requirements contained in Manual of Policies and Procedures (MPP) 30-763.3 in relation to MCWP and CMP payments for provider services for IHSS recipients.

This section of the regulations requires county social services staff to explore and utilize alternative resources in lieu of IHSS Program funded services.

This waiver will allow MCWP and CMP to supplement their clients' IHSS awards under the following conditions:

1. For cases currently authorized to receive the statutory maxima, the County Welfare Department (CWD) will not reduce the authorization of service when the MCWP and CMP grants an additional level of service over and above the IHSS maxima;
2. For cases assessed at a level less than the maxima, the CWD will not consider additional hours authorized by MCWP and CMP as an alternative resource and will continue to authorize services at their assessed need level.

The authority for this waiver is contained in the second paragraph of Welfare and Institutions Code (W&IC) Section 9562, which states:

“To the extent permitted by federal law, each department within the agency, including departments designated as single state agencies for the programs described in Section 9403, shall waive regulations and general policies and make resources available which are necessary for the administration of this chapter, upon request of the agency.”

Please contact Phyllis Eversole, Manager, Policy Development Unit at (916) 229-4036, or Marie August, Analyst, at (916) 229-4592 if you have any questions regarding this letter.

Sincerely,

***Original Document Signed By
Donna L. Mandelstam on 8/11/98***

DONNA L. MANDELSTAM
Deputy Director
Disability and Adult Programs Division

INTERAGENCY AGREEMENT

STD. 13 (REV. 9-88)

NUMBER

97-12075

H28009

THIS AGREEMENT is entered into this 1st day of April, 19 98,
by and between the undersigned State Agencies:

Set forth services, materials, or equipment to be furnished, or work to be performed, and by whom,
time for performance including the terms, date of commencement and date of completion, and provision
for payment per (1225 and 8752-8752.1 SAM.)

Distribution:

- ☐ Agency providing services
☐ Agency receiving services
☐ Department of General Services (unless exempt from DGS approval)
☐ Controller



This Agreement is entered into by and between the Office of AIDS (OA) of the Department of Health Services, hereinafter referred to as DHS, and the In-Home Supportive Services (IHSS) Program of the California Department of Social Services, hereinafter referred to as CDSS.

1. PURPOSE

The purpose of this Agreement is to formalize an agreement between DHS and CDSS regarding IHSS provided to participants in the AIDS Medi-Cal Waiver Program (MCWP) and the AIDS Case Management Program (CMP).

CDSS and DHS agree that in the administration of the IHSS Program, County Welfare Departments (CWDs) shall not apply Manual of Policies and Procedures Section 30-763.6 in relation to services provided to eligible persons with the diagnosis of Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome (HIV/AIDS). Specifically, services provided under the MCWP and CMP will not be treated as "alternative resources" for the recipient. IHSS benefits shall not be denied or reduced because an individual is eligible for or is receiving services under these programs.

(Continued on 4 sheets which are hereby attached and made a part hereof)

NAME OF STATE AGENCY RECEIVING SERVICES Department of Health Services	NAME OF STATE AGENCY PROVIDING SERVICES California Department of Social Services
CALLER ABOVE (SHORT NAME) DHS	CALLER ABOVE (SHORT NAME) CDSS
AUTHORIZED SIGNATURE 	AUTHORIZED SIGNATURE 
PRINTED NAME AND TITLE OF PERSON SIGNING Edward Stahlberg, Chief, Program Support Branch	PRINTED NAME AND TITLE OF PERSON SIGNING Loralle F. McGirr, Chief, Contracts Section
FUND NUMBER AND NAME	FUND NUMBER AND NAME

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ -0-	PROGRAM/CATEGORY (CODE AND TITLE) Clearing Account	FUND TITLE General	Department of General Services Use Only This contract exempt from DGS approval per Chapter 282/Stats of 1997 Item 4260-111-001 (AIDS)			
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ -0-	(OPTIONAL USE)					
TOTAL AMOUNT ENCUMBERED TO DATE \$ -0-	ITEM 4260-111-001	CHAPTER 282			STATUTE 1997	FISCAL YEAR 97/98
	OBJECT OF EXPENDITURE (CODE AND TITLE) Non-funded					
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.			
SIGNATURE OF ACCOUNTING OFFICER X No Signature Required		DATE				

This waiver will allow MCWP and CMP to supplement their clients' IHSS awards under the following conditions:

- a. For cases currently authorized to receive the statutory maxima, the County Welfare Department (CWD) will not reduce the authorization of service when the MCWP and CMP grants an additional level of service over and above the IHSS maxima;
- b. For cases assessed at a level less than the maxima, the CWD will not consider additional hours authorized by the MCWP and CMP as an alternative resource and will continue to authorize services at their assessed need level.

The authority for this waiver is contained in the second paragraph of Welfare and Institutions Code (W&IC) Section 9404 which states:

"To the extent permitted by federal law, each department within the agency, including departments designated as single state agencies for the programs described in section 9403, shall waive regulations and general policies and make resources available which are necessary for the administration of this chapter, upon request of the agency."

The intent of this Agreement is to insure that eligible individuals with HIV/AIDS have access to a broad range of consistent and quality care options suited to their particular circumstances.

2. BACKGROUND

The MCWP operates under a federal waiver to provide comprehensive nurse case management, home and community-based care to Medi-Cal recipients with mid- to late-stage HIV/AIDS in lieu of placement in a nursing facility or hospital. The purpose of the program is to maintain clients safely in their homes or a residential setting and to avoid more costly institutional care. Services available under the MCWP include case management, skilled nursing care, attendant care, psycho-social counseling, homemaker services, minor physical adaptations to the home, Medi-Cal supplement for infants and foster care children, and non-emergency medical transportation, etc.

The AIDS Case Management Program (CMP) provides home and community-based services to persons with HIV/AIDS in lieu of placement in a nursing facility or hospital. Like the MCWP, the purpose of the program is to maintain clients safely in their homes or a residential setting and to avoid more costly institutional care. Services available under the CMP are similar to those under the MCWP except CMP also covers hospice care, food, and

more costly institutional care. Services available under the CMP are similar to those under the MCWP except CMP also covers hospice care, food, and housing. Additionally, CMP clients are typically not as frail as MCWP clients and Medi-Cal coverage is not a requirement for eligibility.

DHS contracts with local agencies including county health departments and community-based organizations to administer these programs. There are currently 32 MCWP providers and 42 CMP providers statewide. Most CMP providers also have a MCWP contract to allow for continuity of care.

The CDSS In-Home Supportive Services Program provides qualified aged, blind, and disabled persons with supportive services enabling them to remain in or return to their own homes and avoid institutionalization. IHSS is not provided to clients residing in a licensed residential care facility or an acute care setting.

There are two components of the IHSS Program, state and federal. The differences between the two components are the funding sources and the eligibility requirements. The state component is called the Residual Program, which consists of the following services: Domestic, Heavy Cleaning, Transportation, Protection Supervision, Nonmedical Personal Care Services, Teaching and Demonstration, Paramedical and Respite. The federal component is called the Personal Care Services Program, which consists of the same services.

One of the primary goals of IHSS is to be more cost effective than institutionalization. Additionally, supportive services allow the recipient a better quality of life by: being less intrusive, allowing the privacy of being at home, and permitting greater family involvement.

3. CDSS RESPONSIBILITIES

CDSS agrees to provide information about this agreement to CWDs that administer the IHSS Program to enable them to disregard Manual of Policies and Procedures Section 30-763.6 regarding "alternative resources" in assessing IHSS applicants who are also participating in programs offered through OA.

4. DHS RESPONSIBILITIES

DHS will notify MCWP and/or CMP contractors of this agreement and will inform them of the services available through the IHSS Program so that they may be better able to coordinate care for their clients.

5. JOINT RESPONSIBILITIES

It is the responsibility of CDSS and DHS to insure that County administered services provided to MCWP or CMP eligible individuals with HIV/AIDS are coordinated and utilized in the sequence described below.

The MCWP and CMP require that existing resources be fully used before services will be authorized through these programs. Specifically, the MCWP and CMP require that services available to a participant in programs under (a), (b) and (c) below must be utilized before authorizing services under (d) and (e) below. While services from the respective programs are to be part of a continuum, it is important that they be used separately. For example, funds from another program are not to be used to augment IHSS provider wage rates. We hereby affirm that when the same support or services are available to a MCWP or CMP participant from more than one source, said support or services shall be used in the following order:

- (a) Informal support of family, friends, and other volunteers.
- (b) Title XVI--SSL SSP and Title XVIII--Medicare.
- (c) Title XX--Social Security (particularly In-Home Supportive Services).
- (d) MCWP.
- (e) CMP.

6. TERM

This Agreement shall be effective on April 1, 1998 through April 1, 2001. This Agreement will remain in effect until such time that revisions or changes are necessary or either Department decides to terminate the agreement.

7. FISCAL PROVISIONS

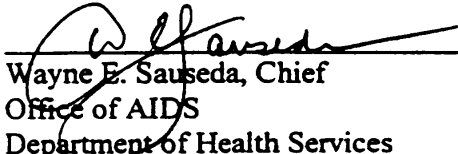
This is a nonfinancial Agreement and shall not obligate the appropriation or expenditure of funds by either of the signatory agencies, any CWD, or other local agencies that may be involved.

8. GENERAL PROVISIONS

This Agreement may be amended by written agreement of the parties. No alteration of the terms herein shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any party.


Contract Number: 97-12075
CDSS H28009

Agreed to:


Wayne E. Sauseda, Chief
Office of AIDS
Department of Health Services

4-24-98

Date


Donna L. Mandelstam, Deputy Director
Disability and Adult Programs Division
California Department of Social Services

4/16/98

Date

OFFICE OF AIDS (OA)
Community Based Care Section
AIDS Case Management and Medi-Cal Waiver Program Contractors
March 24, 1997

CONTRACTOR	ADDRESS	OA Health Program Advisors
AIDS Project Los Angeles Scott Singer Project Director	1313 North Vine Street Los Angeles, CA 90028 (213) 993-1600 FAX (213) 993-1672	Carol Kavooras (916) 327-6770 CMP# 97-10705 Waiver# 96-26487
AIDS Service Center Douglas Gay Ursula Arndt, RN Project Coordinators	1030 South Arroyo Parkway Pasadena, CA 91105 (626) 441-8495 FAX (626) 799-6253	Laura Rios (916) 323-7360 CMP# 97-10706 Waiver# 96-26492
AIDS Services Foundation of Orange County Molly Ballinger, RN Project Director	17982 Sky Park Circle, Suite J Irvine, CA 92714-6303 (714) 253-1508 FAX (714) 852-1185	James Henriques (916) 327-6801 CMP# 97-10707 Waiver# 96-26493
Alameda County Health Care Agency Raygenia Stewart-Budd, RN, MA Central Health District	470 27th Street Oakland, CA 94612 (510) 271-4229 FAX (510) 271-4514	Sandy Morgan (916) 327-3256 CMP# 97-10754 Waiver# 96-26494 MOU # CMP 97-01
AltaMed Health Services Corp. Al Ballesteros, Director HIV Services Division	133 N. Sunol Drive, Suite 237 Los Angeles, CA 90063 (213) 980-4501 FAX (213) 263-7700	Laura Rios (916) 323-7360 CMP# 97-10708 Waiver# N/A
Bay Area Black Consortium Gwen Rowe-Lee Executive Director Ann Nguyen Project Coordinator	1440 Broadway, Suite 209 Oakland, CA 94612 (510) 763-1872 FAX (510) 763-3132	Sandy Morgan (916) 327-3256 CMP# 97-10709 Waiver# 96-26495
Community Care Mgmt Corp. Jani Sheppard, R. N. Project Coordinator Cynthia Coale AIDS Project Director	487 North State Street Ukiah, CA 95482 (707) 462-3041 FAX (707) 468-5234	Sandy Morgan (916) 327-3256 CMP# 97-10710 Waiver# 96-26496
Continuum HIV Day Center Guy Vanderberg Program Director	The Ayse Manyas Kenmore Ctr 255 Golden Gate Avenue San Francisco, CA 94102 (415) 437-2900 FAX (415) 437-0832	Sandy Morgan (916) 327-3256 CMP# 97-10711 Waiver# N/A

OFFICE OF AIDS (OA)
Community Based Care Section
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March 24, 1997

CONTRACTOR	ADDRESS	OA Health Program Advisors
Contra Costa, County of Susan Freeman, LCSW AIDS CMP/MCWP Project Director Coordinator	597 Center Avenue, Suite 200 Martinez, CA 94553 (925) 313-6783 FAX (925) 313-6798	Sandy Morgan (916) 327-3256 CMP# 97-10759 Waiver# 96-26497 MOU# CMP 97-07
Davies Medical Center Marilyn Barkin, Director AIDS Case Management Program	Castro & Duboce Streets San Francisco, CA 94114 (415) 565-6153 FAX (415) 241-5659	Sandy Morgan (916) 327-3256 CMP# 97-10712 Waiver# N/A
Desert AIDS Project Irene L. Anthony, Director Program Services	750 South Vella Road Palm Springs, CA 92264 (760) 323-2118 FAX (760) 323-9865	Laura Rios (916) 323-7360 CMP# 97-10713 Waiver# 96-26498
Face to Face/Sonoma County AIDS Network Jan Braden, RN Project Director	873 Second Street Santa Rosa, CA 95404 (707) 544-1581 FAX (707) 544-1586	James Henriques (916) 327-6801 CMP# 97-10714 Waiver# 96-26499
Home Health Care Management, Inc. Debra Suderman, RN, Director AIDS Project	1398 Ridgewood Drive Chico, CA 95926 (530) 343-0727 FAX (530) 343-9384	Sandy Morgan (916) 327-3256 CMP# 97-10715 Waiver# 97-11753
Hospice of Marin Mary Taverna, RN Executive Director	150 Nellen Avenue Corte Madera, CA 94925 (415) 927-2273 FAX (415) 927-2284	Sandy Morgan (916) 327-3256 CMP# 97-10716 Waiver# N/A
TrinityCare Claire Tehan Vice President	2601 Airport Drive, Suite 110 Torrance, CA 90505 (310) 530-3800 FAX (310) 534-5095	Laura Rios (916) 323-7360 CMP# 97-10717 Waiver# 96-26501
Humboldt Home Health Services Tory Starr AIDS Project Director Catherine Krause Executive Director	6700 North Highway 101 Suite B Eureka, CA 95503 (707) 443-9332 FAX (707) 443-8142	Carol Kavooras (916) 327-6770 CMP# 97-10718 Waiver# 96-26502
Inland AIDS Project Anita Gibbins, Director Client Services	3756 Elizabeth Street Riverside, CA 92506-2507 (909) 784-2437 FAX (909) 784-5416	Laura Rios (916) 323-7360 CMP# 97-10719 Waiver# 96-26503

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CONTRACTOR	ADDRESS	OA Health Program Advisors
Kern, County of Deborah Tyler, PHN III Project Director Health Department	1700 Flower Street Bakersfield, CA 93305-4198 (805) 868-0405 FAX (805) 868-0290	Carol Kavooras (916) 327-6770 CMP# 97-10766 Waiver# N/A MOU # CMP 97-15
Kings, County of Barbara Van Baren, Sr. PHN Project Director AIDS Case Management	330 Campus Drive Hanford, CA 93230 (209) 584-1401 FAX (209) 582-0927	James Henriques (916) 327-6801 CMP# 97-10767 Waiver# N/A MOU # CMP 97-16
Merced, County of Karen Resner, RN, PHN Supervising Public Health Nurse Department of Public Health	240 East 15th Street P.O. Box 471 Merced, CA 95341-0471 (209) 385-7710 FAX (209) 385-7889	Laura Rios (916) 323-7360 CMP# 97-10774 Waiver# N/A MOU # CMP 97-24
Minority AIDS Project Barbara J. Draden, MSW Director of Client Services	5149 West Jefferson Boulevard Los Angeles, CA 90016 (213) 936-4949 FAX (213) 936-4973	Laura Rios (916) 323-7360 CMP# 97-10720 Waiver# 96-26504
Monterey, County of Mary Goblirsh Program Manager Kathy Whilden AIDS Project Director Department of Social Services	1000 South Main Street Suite 202 Salinas, CA 93901 (408) 755-8490 FAX (408) 755-8467	Carol Kavooras (916) 327-6770 CMP# 97-10721 Waiver# 96-26506
North County Health Services Barbara Verkleeren, RN AIDS Project Director AIDS Case Management	150 Valpreda Road San Marcos, CA 92069 (760) 736-6700 FAX (706) 736-6782	James Henriques (916) 327-6801 CMP# 97-10722 Waiver# 96-26507
Pacific Pride Foundation, Inc. Janet L. Stanley, MA Executive Director AIDS Project Central Coast	126 East Hailey, Suite A-17 Santa Barbara, CA 93101 (805) 963-3636 FAX (805) 963-9086	James Henriques (916) 327-6801 CMP# 97-10723 Waiver# 96-26508
Queen of the Valley Hospital James A. Tomlinson, Director HIV Network	1100 Trancas Street, Suite 300 Napa, CA 94558 (707) 257-4182 HIV Network # FAX (707) 224-7087	James Henriques (916) 327-6801 CMP# 97-10724 Waiver# 96-26509
Sacramento AIDS Foundation Lisa Juran, RN Deputy Director	1330 21st Street, Suite 100 Sacramento, CA 95814 (916) 448-2437	Carol Kavooras (916) 327-6770 CMP# 97-10725

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CONTRACTOR	ADDRESS	OA Health Program Advisors
	FAX (916) 448-3568	Waiver# 96-26510
AIDS Programs at Saint Agnes Medical Center Tabea (Tootie) Barr AIDS Project Director Home Health Agency	1111 East Spruce Avenue P.O. Box 28922 Fresno, CA 93729 (209) 449-5121 FAX (209) 449-5350	Laura Rios (916) 323-7360 CMP# 97-10726 Waiver# 96-26523
St. Mary Medical Center Jennifer Andrews, LCSW Executive Director CARE Program	411 East 10th Street, Suite 202 Long Beach, CA 90813 (562) 491-9905 FAX (562) 491-9867	Laura Rios (916) 323-7360 CMP# 97-10727 Waiver# 96-26511
San Benito County Health & Human Services Agency Marilyn Coppola Assistant Director	1111 San Felipe Road, Suite 206 Hollister, CA 95023 (408) 637-5542 FAX (408) 637-2910	Carol Kavooras (916) 327-6770 CMP# 97-10784 Waiver# N/A MOU # CMP 97-35
San Diego County Area Agency of Aging Paula Brooks, MSW AIDS Project Director AIDS Case Management	9335 Hazard Way, Suite 100 San Diego, CA 92123-1222 (619) 495-5493 FAX (619) 495-5080	James Henriques (916) 327-6801 CMP# 97-10728 Waiver# 96-26512
San Joaquin, County of Geneva Bell-Sanford, MSW AIDS Program Coordinator Public Health Services	1601 East Hazelton Avenue P.O. Box 2009 Stockton, CA 95201-2009 (209) 468-3891 FAX (209) 468-3495	Carol Kavooras (916) 327-6770 CMP# 97-10788 Waiver# 96-26513 MOU # CMP 97-39
San Luis Obispo, County of Marsha Bollinger AIDS Program Director	P.O. Box 1489 San Luis Obispo, CA 93406-1489 (805) 781-5540 FAX (805) 781-1154	James Henriques (916) 327-6801 CMP# 97-10789 Waiver# 96-26514 MOU # CMP 97-40
San Mateo, County of Irene Casanova AIDS Program Director Aging and Adult Services	225 West 37th Avenue San Mateo, CA 94403 (650) 573-3904 FAX (650) 573-2193	Sandy Morgan (916) 327-3256 CMP# 97-10790 Waiver# 97-26486 MOU # CMP 97-41
Santa Cruz, County of Michela Barcus, PHN AIDS Program Director Health Services Agency	1080 Emeline Avenue P.O. Box 962 Santa Cruz, CA 95061 (408) 454-4730	James Henriques (916) 327-6801 CMP# 97-10793 Waiver# 96-26515

OFFICE OF AIDS (OA)

Community Based Care Section

AIDS Case Management and Medi-Cal Waiver Program Contractors

March 24, 1997

CONTRACTOR	ADDRESS	OA Health Program Advisors
	FAX (408) 454-4740	MOU # CMP 97-44
Sierra Foothills AIDS Foundation Jeff Cowen Executive Director	1097 East Main Street, Suite F Grass Valley, CA 95945 (530) 477-5551 FAX (530) 477-6339	Carol Kavooras (916) 327-6770 CMP# 97-10729 Waiver# N/A
Solano, County of Charles Emlet, MSW, Ph.D. AIDS Project Director	355 Tuolumne Street-MS 20-210 Vallejo, CA 94590 (707) 553-5372 (Vallejo TTH) (707) 421-6660 (Fairfield MWF) FAX (707) 438-2500	Sandy Morgan (916) 327-3256 CMP# 97-10796 Waiver# 96-26516 MOU # CMP 97-48
Stanislaus, County of Nancy C. Fisher, PHN AIDS Project Director Community Health Services	830 Scenic Drive, Building #3 P.O. Box 3127 Modesto, CA 95353-3127 (209) 558-7400 FAX (209) 558-8315	James Henriques (916) 327-6801 CMP# 97-10798 Waiver# 96-26517 MOU # CMP 97-50
Tarzana Treatment Center Rene Seidel HIV Services Director	18646 Oxnard Street Tarzana, CA 91356-1486 (818) 342-5897x10 FAX (818) 345-6256	Laura Rios (916) 323-7360 CMP# 97-10730 Waiver# 96-26518
Tulare, County of Kathleen M. Farrell, RN AIDS Project Director AIDS Case Management	1062 South K Street Tulare, CA 93274 (209) 685-2535 FAX (209) 685-2661	Carol Kavooras (916) 327-6770 CMP# 97-10802 Waiver# N/A MOU # CMP 97-54
Ventura, County of Roberta Pak-Young, R.N. AIDS Project Coordinator	3147 Loma Vista Road Ventura, CA 93003 (805) 652-6152 FAX (805) 652-5784	Carol Kavooras (916) 327-6770 CMP# 97-10804 Waiver# 96-26521 MOU # CMP 97-56
The Health Trust Ann Hayes, Director AIDS Project	2025 Gateway Place, Suite 205 San Jose, CA 95110 (408) 452-1380 FAX (408) 451-1918	Carol Kavooras (916) 327-6770 CMP# 97-10732 Waiver# 96-26519
Westside Community Mental Health Dr. Lorraine Kilpack AIDS Project Director	1153 Oak Street San Francisco, CA 94117 (415) 353-5050, ext 200 FAX (415) 431-8351	Sandy Morgan (916) 327-3256 CMP# 97-10733 Waiver# 96-26522